

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEUTSCHE BANK TRUST COMPANY, :
AMERICAS, in its capacity as successor indenture :
trustee for certain series of Senior Notes, LAW :
DEBENTURE TRUST COMPANY OF NEW :
YORK, in its capacity as successor indenture :
trustee for certain series of Senior Notes, and :
WILMINGTON TRUST COMPANY, in its :
capacity as successor indenture trustee for certain :
series of PHONES Notes, :

Plaintiffs, :

vs. :

ABU DHABI INVESTMENT AUTHORITY, *et* :
al. :

Defendants. :
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Docket No. 11-cv-4522 (RJH)

NOTICE OF APPEARANCE

TO THE CLERK OF THIS COURT AND ALL PARTIES OF RECORD:

Please enter my appearance in this case on behalf of Defendants The Bank of New York Mellon (in its individual and custodial capacities)¹; The Bank of New York Mellon as trustee of The Bank of New York Mellon Employee Benefit Collective Investment Fund Plan f/k/a Mellon Bank, N.A. Employee Benefit Collective Investment Fund Plan; The Bank of New York Mellon as trustee of The Collective Trust Of The Bank of New York; The Bank of New York Mellon Corporation (incorrectly sued as “Bank of New York Mellon Corporation”) and Oppenheimer & Co., Inc.

I certify that I am admitted to practice in this Court.

¹ Plaintiffs have also named “BNY Mellon, in its custodial capacity” as a defendant in this case. There is no juridical entity with the name “BNY Mellon”. Accordingly, no appearance for that non-existent entity can be made.

Dated: September 27, 2011

Respectfully Submitted,

PROSKAUER ROSE LLP

By: /s/ David S. Mordkoff

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